

REMARKS

The Office action of 30 July 2007 (Paper No. 20070721) has been carefully considered.

The specification is being amended to correct minor errors and improve form. Claims 5 and 16 are being canceled without prejudice or disclaimer, and claims 1, 3, 10, 14, 15, 17 and 19 are being amended. Thus, claims 12 thru 4, 6 thru 15 and 17 thru 20 are pending in the application.

In paragraph 1 of the Office action, the Examiner objected to the disclosure because of alleged informalities. The specification is being amended to spell out the various acronyms mentioned by the Examiner in paragraph 1 of the Office action. In addition, paragraph [0088] of the specification is being amended to change “510” to “560” on line 3 of that paragraph. Accordingly, the objection to the disclosure should no longer apply, and should be withdrawn.

In paragraph 2 of the Office action, the Examiner objected to claims 1 and 19 because of alleged informalities. Accordingly, claims 1 and 19 are being amended to correct the misspelling pointed out by the Examiner. Thus, the objection to claims 1 and 19 should no longer apply.

In paragraph 4 of the Office action, the Examiner rejected claims 1 thru 9 under 35 U.S.C. §112 (second paragraph) for alleged indefiniteness. Accordingly, claim 1 is being amended to correct the recitation of “hardware alarm connecting unit” to properly read “hardware alarm correction unit”. Therefore, the rejection under 35 U.S.C. §112 (second

paragraph) should no longer apply.

In paragraph 6 of the Office action, the Examiner rejected claims 1, 2, 7 thru 11 and 13 under 35 U.S.C. §103 for alleged unpatentability over Rai *et al.*, U.S. Patent No. 6,421,714 in view of LeCren, U.S. Patent No. 6,990,320. In paragraph 7 of the Office action, the Examiner rejected claims 3, 6 and 12 under 35 U.S.C. §103 for alleged unpatentability over Rai *et al.* '714 in view of LeCren '320, and further in view of Park *et al.*, U.S. Patent No. 7,058,019. In paragraph 8 of the Office action, the Examiner rejected claims 4 and 5 under 35 U.S.C. §103 for alleged unpatentability over Rai *et al.* '714, LeCren '320 and Park *et al.* '019, and further in view of Withmore *et al.*, U.S. Patent Publication No. 2006/0203804. In paragraph 10 of the Office action, the Examiner rejected claims 14 and 17 under 35 U.S.C. §102 for alleged anticipation by Park *et al.* '019. In paragraph 11 of the Office action, the Examiner rejected claim 20 under 35 U.S.C. §102 for alleged anticipation by Rai *et al.* '714. In paragraph 14 of the Office action, the Examiner rejected claims 15 and 16 under 35 U.S.C. §103 for alleged unpatentability over Park *et al.* '019 in view of Withmore *et al.* '804. In paragraph 15 of the Office action, the Examiner rejected claim 18 under 35 U.S.C. §103 for alleged unpatentability over Park *et al.* '019 in view of Rai *et al.* '714 and LeCren '320. In paragraph 16 of the Office action, the Examiner rejected claim 19 under 35 U.S.C. §103 for alleged unpatentability over Park *et al.* '019 in view of Rai *et al.* '714. For the reasons stated below, it is submitted that the invention recited in the claims, as now amended, is distinguishable from the prior art cited by the Examiner so as to preclude rejection under 35 U.S.C. §102 and §103.

Referring to paragraph 6 of the Office action, in rejecting independent claims 1 and 10, the Examiner alleges that Rai *et al.* '714 discloses a private base station controller and a base station transceiver subsystem as recited in the preamble of independent claims 1 and 10. However, these elements are recited as separate elements in independent claims 1 and 10, whereas the Examiner states that both elements correspond to the base stations 36 disclosed in Figure 2 of Rai *et al.* '714. Thus, this serves as a first distinction between the invention as claimed and the disclosure of Rai *et al.* '714.

However, independent claim 1 is being amended to include the recitation from dependent claim 3 to the effect that the WSM comprises a maintenance function module, and independent claim 1 is also being amended to recite that the maintenance function module comprises the three elements previously recited in dependent claim 5, which is being canceled. Moreover, independent claim 10 is being amended in a similar manner. It is submitted that these amendments of independent claims 1 and 10 distinguish the invention from the cited prior art so as to preclude rejection under 35 U.S.C. §102 or §103.

Specifically, in rejecting dependent claim 5 in paragraph 8 of the Office action, the Examiner admitted that Rai *et al.* '714, LeCren '320 and Park *et al.* '019 do not disclose a maintenance function module comprising the three elements recited in dependent claim 5. Therefore, the Examiner cited Withmore *et al.* '804 as allegedly disclosing the three elements making up the maintenance function module. However, Withmore *et al.* '804 does not disclose or suggest the three separate elements making up the maintenance function module as now recited in amended independent claims 1 and 10.

In the latter regard, on page 14 of the Office action, in alleging that Withmore *et al.* '804 discloses a maintenance function module, the Examiner merely referred to the term "operator" recited in paragraph [0150] on page 13 of Withmore *et al.* '804. However, it is believed that the term "operator" as used merely refers to a human operator making various status checks or the like in Withmore *et al.* '804. This does not constitute the disclosure or suggestion of a hardware element comprising a maintenance function module which includes the three elements now recited in independent claims 1 and 10.

In addition, on page 14 of the Office action, the Examiner alleged that Withmore *et al.* '804 discloses a maintenance function module comprising a fault manager for correcting failures and alarms of the system, and for reporting them to an operator. However, the Examiner did not cite any portion of Withmore *et al.* '804 allegedly disclosing such a fault manager.

Finally, on page 14 of the Office action, in rejecting dependent claim 5, the Examiner alleged that Withmore *et al.* '804 discloses a maintenance function module comprising a test manager for testing devices and processing test calls, the Examiner citing the use of the phrase "field test and analyze" recited in paragraph [0150] on page 13 of Withmore *et al.* '804. However, the phrase in question refers to an operation carried out by a human operator, and thus Withmore *et al.* '804 does not disclose or suggest a hardware element comprising a test manager for testing devices and processing test calls, the test manager being a part of the overall maintenance function module.

Therefore, for the reasons stated above, it is submitted that the invention as recited in amended independent claims 1 and 10 is distinguishable from the prior art cited by the

Examiner so as to preclude rejection under 35 U.S.C. §102 or §103.

Turning to consideration of independent claim 14, that claim is being amended to include the recitation from dependent claim 16, which is being canceled. Thus, independent claim 14 now recites the maintenance function module means as comprising a status manager, a fault manager and a test manager. Therefore, the arguments set forth above relative to independent claims 1 and 10, as now amended, apply equally to independent claim 14, as now amended. Thus, for the reasons stated above, relative to independent claims 1 and 10, independent claim 14 as now amended distinguishes the invention from the prior art cited by the Examiner so as to preclude rejection under 35 U.S.C. §102 or §103.

Turning to consideration of independent claim 20, in paragraph 11 on page 17 of the Office action, the Examiner alleges that Rai *et al.* '714 discloses each of the elements recited in independent claim 20. However, the Examiner states that both the base station main controller main processor (BMP) and the operation/maintenance information transmission unit recited in claim 20 correspond to wireless hub 84 of Figures 4-6 of Rai *et al.* '714. Thus, the Examiner does not cite where, in Rai *et al.* '714, there is a disclosure of two separate elements, that is, a BMP and an operator/maintenance information transmission unit as separately recited in claim 20.

Accordingly, since Rai *et al.* '714 does not disclose a BMP having a local area network (LAN) interface, an operation/maintenance information transmission unit, and an operation/maintenance control signal transmission unit as separate elements, the invention recited in independent claim 20 is distinguishable from the disclosure of Rai *et*

al. '714 so as to preclude rejection under 35 U.S.C. §102 and §103.

In view of the above, it is submitted that the claims of this application are in condition for allowance, and early issuance thereof is solicited. Should any questions remain unresolved, the Examiner is requested to telephone Applicant's attorney.

No fee is incurred by this Amendment.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "R. E. Bushnell", is written over a horizontal line.

Robert E. Bushnell,
Attorney for the Applicant
Registration No.: 27,774

1522 "K" Street N.W., Suite 300
Washington, D.C. 20005
(202) 408-9040

Folio: P56972
Date: 10/23/07
I.D.: REB/JGS